

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

MINNIE TAYLOR, Individually and  
as Personal Representative of  
the ESTATE OF LOUIE TAYLOR,  
and HAROLD CUTHAIR,

Plaintiffs,

vs.

Case No.

21-cv-00613-GJF-JFR

THE UNITED STATES OF AMERICA,

Defendant.

**DEPOSITION OF HAROLD D. CUTHAIR**

April 6, 2022

8:30 a.m.

via videoteleconference

PURSUANT TO THE FEDERAL RULES OF CIVIL  
PROCEDURE, this deposition was:

TAKEN BY: MS. CHRISTINE H. LYMAN

Attorney for the Defendant

REPORTED BY: MABEL JIN CHIN, NM CCR #81

Bean & Associates, Inc.

Professional Court Reporting Service

201 Third Street Northwest, Suite 1630

Albuquerque, New Mexico 87102

(6382N) MC

14

**A. Years ago. What does that got to do with the night of Louie's death?**

Q. Well, Mr. Cuthair, I get to ask the questions, you get to answer them. So I'm asking you, when -- how did you meet Minnie Taylor?

MR. BUFFINGTON: Answer it.

**A. She worked at the -- um -- clinic in Towaoc.**

Q. Where? I'm sorry, I didn't understand that.

**A. In Towaoc.**

Q. No, but she worked where in Towaoc?

**A. Colorado.**

Q. But where was she working?

**A. At the clinic, the IHS clinic.**

Q. So you met her while she was working at the IHS clinic?

**A. Yes.**

Q. And so what were you doing at the clinic?

**A. She worked there.**

Q. I understand that she worked there, Mr. Cuthair, but how did you meet her there? What were you doing there?

**A. I was working there at the same time, at the rec center.**

Q. Okay. So how long were you in a relationship with her?

15

**A. I have no -- no idea.**

Q. Did you ever live with Minnie Taylor?

**A. Off and on.**

Q. How long into your relationship with Minnie Taylor did you have Louie?

**A. Back in '86.**

Q. Well, I understand that's when Louie was born, but had you been seeing Minnie for a while before then? I'm trying to understand where that '86 falls in your relationship with Minnie.

**A. We -- you know, we were living together for a while until I started working at Farm and Ranch.**

**Q. And when did you start working for the ranch?**

**A. In '85.**

**Q. And how long did you work at that ranch?**

**A. Until about '93.**

**Q. So while you were working at the ranch from '85 to '93 did you live with Minnie Taylor?**

**A. Yes, but then I was -- um -- it was a 24/7 job. Most of the time I stayed with my mom, or I would sleep in the truck.**

**Q. Where was this ranch located, Mr. Cuthair?**

**A. In Towaoc.**

**Q. And your mom is located there as well?**

16

**A. Yes.**

**Q. So from 1985 to 1993 you were mostly staying with your mom or living in your truck out there?**

**A. Yes.**

**Q. Did you ever marry Minnie Taylor?**

**A. No.**

**Q. How did your relationship end?**

**A. Separated.**

Q. But was it your decision to separate or her decision, or was it a mutual decision?

**A. Mutual.**

Q. And do you recall when you separated from Minnie Taylor?

**A. I can't recall.**

Q. So I understand that you and Minnie Taylor have two children; is that correct?

**A. Yes.**

Q. And who are these two children that you had with Minnie Taylor?

**A. Louie and Karsten.**

Q. And do you have any other children, Mr. Cuthair?

**A. Yes. But then that's not -- has nothing to do with this, your questions, what you're trying to get at.**

17

Q. Well, it's up to me and your attorney to decide what I get to ask, and so you are to answer all the questions that I ask you unless your attorney instructs you not to answer.

**A. Well, if you are going to continue to ask me this, I'm not --**

MR. BUFFINGTON: You got to answer most of this. I'm listening to any question if it's not appropriate, but this is called discovery, so it's a very wide, very wide net she gets to cast in the questions, so --

THE WITNESS: But this has nothing to do with the death of Louie.

MR. BUFFINGTON: That's for her to decide, I guess, so let's go ahead and answer unless I tell you otherwise.

Q. (By Ms. Lyman) Mr. Cuthair, I asked you about your other children. Can you please give me their names and their dates of birth?

**A. I don't know their date of birth.**

Q. You don't know when your own children were born, Mr. Cuthair?

**A. Previously I had two daughters, and in '85 I lost my daughter, just like my -- she was 5 years old, and it -- just like what happened to Louie. She got**

22

1 know, as an adult, you know, we are capable of doing  
2 whatever we want, changing names or -- just like  
3 looking for a job.

4 Q. So Louie never told you why he decided to  
5 reject your last name and take on a different last  
6 name?

7 A. You know, at that time, you know, the -- um  
8 -- Louie, in that case, you know, he could do whatever  
9 he wanted. He was an adult. And I didn't ask him why  
10 did you change your name. It could have been my  
11 grandmother or my mom's side -- or my mom's side,  
12 yeah.

13 Q. So you never asked him why he did it?

14 A. No. That was -- you know, that was -- it  
15 was up to him. It was confidential, you know. I  
16 don't go telling him you got to change your name.

17 Q. But did you wonder why he decided to reject  
18 your last name, as his father?

19 A. No.

20 Q. I'm going to turn now to the second page of  
21 this document, or the second interrogatory. So I  
22 asked about all the different names that Louie went  
23 by, and this is the response. Do you see all these  
24 names listed here?

25 A. Yes.

23

1 Q. Do you know why Louie frequently used  
2 different names?

3 A. I had no idea.

4 Q. Do you know of any names that Louie went by  
5 during his life that are not on this list?

6 A. The Carson.

7 Q. Carson. Did he go by Karsten?

8 A. No.

9 Q. I'm asking you if you know any names that he  
10 went by that are not on this list. Do you know of any  
11 names like that?

12 A. No.

13 Q. So, Louie, it sounds like he spent his  
14 childhood in Shiprock. How often were you there in  
15 Shiprock while he was growing up?

16 A. Pretty much most of his life.

17 Q. So did you live with him or did you just  
18 visit him?

19 A. Visit.

20 Q. How often did you visit Louie?

21 A. Um -- every now and then.

22 Q. Do you know who took care of the boys while  
23 you were away?

24 A. His mother and grandmother.

25 Q. While you were living apart from your family

24

1 did you still have a good relationship with Minnie?

2 A. Not at the moment.

3 Q. But I mean, back when Louie was growing up?

4 A. Um -- not -- no.

5 Q. Why is that, Mr. Cuthair?

6 A. She -- she didn't allow visitation, but  
7 then, you know, I tried to support him -- support  
8 them.

9 Q. Why didn't she allow visitation?

10 A. What?

11 Q. Why did she not allow visitation?

12 A. She was still upset.

13 Q. Upset about what?

14 A. About the separation.

15 Q. Before the separation, though, did you have  
16 a good relationship with her?

17 A. Yes.

18 Q. Did you visit often?

19 A. Before, yeah.

20 Q. Well, I believe you said that the decision  
21 to separate was mutual. Why was she upset with you  
22 about the separation if she wanted it, too? Do you  
23 know?

24 A. There was some things in disagreement.

25 Q. And what were the disagreements about?

25

1 A. Separation.

2 Q. But you told me that she wanted to separate  
3 as well. How could that be a disagreement?

4 MR. BUFFINGTON: Object to form of the  
5 question. Go ahead and answer if you can.

6 A. I was too busy with my employment at Farm  
7 and Ranch. I hardly ever came -- you know, I hardly  
8 came here, Shiprock, so I just ended up in Towaoc.

9 Q. So are you saying, then, that Minnie was  
10 upset with you because you were away?

11 A. Yes. I started working. I had two jobs.

12 Q. So given that you said that the job at the  
13 ranch was basically a 24/7 job I'm trying to  
14 understand how you were able to have any involvement  
15 in Louie's life growing up. Can you describe to me  
16 how often you saw Louie?

17 A. I came down to pick him up and took the boys  
18 to the farm and showed them what I was doing, what  
19 farming was all about.

20 Q. How often did you do that?

21 A. Oh, whenever they had the time or -- you  
22 know, other times I was busy, you know. It was -- it  
23 was during the drought season here and, you know, I  
24 was running a center pivot and a side roll, and I had  
25 to get the water down. So that's what I did.

26

1 Q. When you took the boys to visit the farm did  
2 they stay with your mom?

3 A. **Who? Excuse me.**

4 Q. Well, you said that when you were working at  
5 the farm you mostly lived with your mom or in your  
6 truck. I'm assuming you did not have the boys live in  
7 the truck with you, so I'm asking, did they stay with  
8 your mom during those visits?

9 A. **No. I only took them to the farm, farm and  
10 back.**

11 Q. Okay. So they didn't spend the night there?

12 A. **No.**

13 Q. Did they ever spend the night with you when  
14 you were living up there?

15 A. **No.**

16 Q. I'm going to now look at interrogatory  
17 number 4. And this question is about all of the  
18 addresses that Louie had during the 10 years before  
19 his death, and Minnie's answer refers to a time when  
20 he was living in Colorado Springs for seven months.  
21 Do you know anything about this time period when he  
22 lived in Colorado Springs for seven months?

23 A. **I think the -- he -- he mentioned that, but  
24 then he never did tell me about whereabouts, what his  
25 address was in Colorado Springs.**

27

1 Q. Do you know roughly when he lived there?

2 A. **It was years ago. I can't say.**

3 Q. Did Louie ever live with you, Mr. Cuthair?

4 A. **No.**

5 Q. Okay. I'm going to move down to  
6 interrogatory number 6, and it's about Louie's  
7 education. Were you at all involved in any of Louie's  
8 schooling in terms of -- let me rephrase that. While  
9 Louie was in school did you ever hear about Louie  
10 having any problems in school?

11 A. **No.**

12 Q. How often did you talk to Louie during his  
13 childhood?

14 A. **Oh, we spoke every now and then. But then,  
15 you know, he -- if you are trying to get at how he  
16 grew up, he didn't grow up in the alcohol or drug  
17 environment.**

18 Q. **Are you aware, then, of any issues he had in  
19 school?**

20 A. **No.**

21 Q. Do you know why he did not get a high school  
22 diploma?

23 A. **Well, he went back and got his GED.**

24 Q. I understand that, Mr. Cuthair, but do you  
25 know why he didn't graduate from high school? I'm

28

1 assuming he didn't graduate from high school. He got  
2 a GED. Do you have any knowledge about what led him  
3 to not graduate?

4 A. **I have no idea.**

5 Q. Do you know what Louie was doing at Dine  
6 College in 2008 and 2009?

7 A. **He was getting his GED.**

8 Q. And then after that it says he spent another  
9 year there. Do you know what he was studying?

10 A. **No idea, but I know he was going to college,  
11 but he didn't say. I don't recall what he was going  
12 for.**

13 Q. All right. I'm going to now move down to  
14 interrogatory number 7. Interrogatory number 7 asks  
15 about Louie's employment history. And so I noticed  
16 that the first answer here is Ute Mountain Casino,  
17 2009 to 2010, bingo clerk. Did you work with Louie  
18 when he worked at Ute Mountain Casino?

19 A. **No.**

20 Q. Did you help him get that job?

21 A. **No.**

22 Q. Were you aware he had this job?

23 A. **Yeah. But then, you know, I just told him  
24 it's good he got a job.**

25 **No, I didn't help him get that job. It was**

29

1 **good that he got -- that he had a job, is what I said.**

2 Q. I noticed that the job didn't last very  
3 long. Do you know why?

4 MR. BUFFINGTON: Could you repeat that? We  
5 didn't hear.

6 Q. Sorry. I noticed that the job didn't last  
7 very long. Do you know why?

8 A. **No. No idea.**

9 Q. After he worked at Ute Mountain Casino, are  
10 you aware of any other jobs that Louie had?

11 A. **Just the -- the Bamboo -- the Bamboo  
12 Chinese.**

13 Q. Do you know what he was doing at Bamboo  
14 Chinese?

15 A. **He was the clerk -- the waiter.**

16 Q. A waiter?

17 A. **Yeah.**

18 Q. And that was after he worked at the casino?

19 A. **Yes, I guess.**

20 Q. Do you know how long he worked there?

21 A. **No. No idea.**

22 Q. **At the time your son died, Mr. Cuthair, are  
23 you aware of him having any job or any kind of  
24 employment?**

25 A. **No.**

30

1 Q. Do you know why Louie didn't have a job?

2 A. **I have no idea.**

3 Q. Do you know whether he was looking for a  
4 job?

5 A. **No. No idea.**

6 Q. Do you know if he wanted to go back to  
7 school?

8 A. **He was talking about it, but then he never  
9 did follow up with it.**

10 Q. Do you know what he wanted to do if he went  
11 back to school?

12 A. **I have no idea.**

13 Q. All right. I'm going to move now to  
14 interrogatory number 18. So interrogatory 18 asks  
15 about Louie's income. You stated "my son received  
16 2,000 per year, two bonus, \$200, December and June per  
17 cap or dividend from the Ute Mountain Ute Tribe, tax  
18 exempt." Can you explain what this means?

19 A. **That's the revenue, the resources from the  
20 land, and each member gets 2,000 per year, and it  
21 fluctuates, the bonuses. It increases or decreases.  
22 That's what I meant.**

23 Q. For how long did Louie get this income? Did  
24 he get it while he was a child or only when he was an  
25 adult?

31

1 A. **As a child. As soon as he is enrolled you  
2 start getting -- receiving the per cap.**

3 Q. Do you know how he would spend this money?

4 A. **No.**

5 Q. Did you ever get any of this money from  
6 Louie?

7 A. **No.**

8 Q. And you don't know whether he gave any of it  
9 to his mother?

10 A. **No.**

11 Q. Do you know whether Louie had a bank  
12 account?

13 A. **No.**

14 Q. Do you know, other than this income from the  
15 Ute Mountain Ute Tribe, whether Louie had any other  
16 sources of income?

17 A. **No.**

18 Q. Did you ever give Louie money after he was  
19 an adult?

20 A. **When he would ask for it.**

21 Q. How often would he ask for money?

22 A. **Well, whenever.**

23 Q. Was it, like, once a month, or was it, like,  
24 every week?

25 A. **Once a month you could say.**

32

1 Q. And how much money did he ask for?

2 A. **Um -- anywhere from 20 to \$100.**

3 Q. Do you know why he needed money?

4 A. **Gas money.**

5 Q. Did you ever tell him that he should get a  
6 job?

7 A. **No.**

8 Q. Did you ever wonder why he didn't have a  
9 job?

10 A. **No.**

11 Q. Did Louie ever ask for more than \$100?

12 A. **No.**

13 Q. Do you know of any debts that Louie may have  
14 had?

15 A. **No.**

16 Q. So, you testified that Louie never lived  
17 with you. So is it fair to say that he didn't help  
18 you around the house?

19 A. **Occasionally when he would come up, that  
20 would be, like, once or twice a week, I had livestock  
21 and he would help feed -- feed them.**

22 Q. What kind of livestock was this?

23 A. **Horses.**

24 Q. Did Louie like horses?

25 A. **Yes.**

33

1 Q. Did he ride them?

2 A. **No.**

3 Q. So, he just fed them?

4 A. **Yes.**

5 Q. Did he groom them?

6 A. **Um -- no -- yeah, I guess you could say  
7 that.**

8 Q. So tell me exactly what he did with your  
9 horses?

10 A. **Fed them. That's about it. You know,  
11 sometimes he will pet them and stuff like that. You  
12 know, that's all.**

13 Q. And the food that he was giving to the  
14 horses, did you pay for that?

15 A. **Yes.**

16 Q. How many horses did you have?

17 A. **I have five.**

18 Q. Do you know or have you ever met Louie's  
19 girlfriend Bioncha?

20 A. **Yes.**

21 Q. Tell me about Bioncha. When do you remember  
22 meeting her?

23 A. **I don't recall.**

24 Q. Was it more than a year -- more than five  
25 years ago?

34

1 **A. I don't recall.**  
 2 Q. Do you recall how often you met her?  
 3 **A. No.**  
 4 Q. Do you -- did you get the sense that she and  
 5 Louie were very serious?  
 6 **A. No.**  
 7 Q. So would you characterize their relationship  
 8 as casual?  
 9 MR. BUFFINGTON: Objection, form and  
 10 foundation. Go ahead and answer if you can.  
 11 **A. Yeah, casual.**  
 12 Q. Do you know if Louie and Bioncha ever lived  
 13 together?  
 14 **A. Yes.**  
 15 Q. And when was that?  
 16 **A. Before his death.**  
 17 Q. How long before his death?  
 18 **A. I don't recall.**  
 19 Q. Were they still living together at the time  
 20 of his death?  
 21 **A. No.**  
 22 Q. Do you know when they broke up?  
 23 **A. No idea.**  
 24 Q. Do you know of any other girlfriends that  
 25 Louie had --

35

1 **A. No.**  
 2 Q. -- other than Bioncha? And to your  
 3 knowledge, Louie didn't have any children?  
 4 **A. No.**  
 5 Q. All right. I'm going to stop sharing my  
 6 screen. So, from Minnie's deposition yesterday I  
 7 learned that Louie liked to gamble; is that accurate?  
 8 **A. Yes.**  
 9 Q. What did he do -- I'm assuming he did this  
 10 at the casino. What kind of games did he play?  
 11 **A. Slot.**  
 12 Q. And did you go to the casino with Louie?  
 13 **A. No. He would show up.**  
 14 Q. What do you mean by he would show up? Where  
 15 would he show up?  
 16 **A. At the casino.**  
 17 Q. But --  
 18 **A. I was unaware if he was going to be there,**  
 19 **so he would just show up and ask for some money, so I**  
 20 **would give him money and he would be gone. Take off.**  
 21 Q. So are you referring to the time when you  
 22 worked at the casino?  
 23 **A. No.**  
 24 Q. So how did you know he was showing up at the  
 25 casino? Did he show up at your house first?

36

1 **A. No.**  
 2 Q. Did he ask you to meet you at the casino?  
 3 **A. No.**  
 4 Q. Well, how did you give him money, then? I'm  
 5 not understanding where he would show up and how you  
 6 were there.  
 7 **A. He would be at the same casino that I'm at?**  
 8 **I didn't ask him. He would be the one to --**  
 9 Q. Okay. So maybe I misunderstood you, so --  
 10 you cut out again.  
 11 (Brief loss of Witness' video connection.)  
 12 MR. BUFFINGTON: While we were disappeared  
 13 in electronic land, Mr. Cuthair headed down to the  
 14 men's room.  
 15 For the sake of the record, we didn't  
 16 discuss anything. So -- and I have remained here the  
 17 whole time, so -- if there was a question that was the  
 18 last thing on the record, I apologize, but we did not  
 19 discuss formulating an answer, and the answers aren't  
 20 in the men's room.  
 21 (A discussion was held off the record.)  
 22 Q. (By Ms. Lyman) Mr. Cuthair, before we had  
 23 the technical difficulties and before you left to use  
 24 the restroom I was asking you about how you knew that  
 25 Louie was at the casino. And so I believe you were

37

1 also at the casino doing your own thing when Louie  
 2 would show up?  
 3 **A. Yes.**  
 4 Q. And that's how you knew Louie was there?  
 5 **A. Yes.**  
 6 Q. Okay. And so when you were at the casino  
 7 were you also playing slots, or what were you doing  
 8 there?  
 9 **A. Yes.**  
 10 Q. So, Louie would come, see you while you were  
 11 playing slots, and ask for money, and then go your  
 12 separate ways?  
 13 **A. Yes.**  
 14 Q. How much money did he ask for?  
 15 **A. Well, we gave him whatever we had.**  
 16 Q. And when you say we, who are you referring  
 17 to?  
 18 **A. My wife and I.**  
 19 Q. So you and your wife would be at Ute  
 20 Mountain Casino playing the slots and then Louie would  
 21 show up?  
 22 **A. No. No. Not there.**  
 23 Q. Where were you, then?  
 24 **A. Um -- Farmington, and in Ignacio, Colorado.**  
 25 Q. Is there a reason why you didn't play slots



38

1 at the casino that was on your reservation?

2 **A. At the time when you are -- you know, when**  
3 **you hold the key badge, that's the red badge, and that**  
4 **you are not allowed to play in your own casino.**

5 Q. Oh, what do you mean by --

6 **A. You're dealing with money. I dealt with**  
7 **money, like I did as a CFM, I was -- you know, paid**  
8 **jackpots out and, you know, I had the key badge.**  
9 **That's -- a key badge is -- you can't -- you can't**  
10 **play in your own store. If you had the blue badge**  
11 **then you can play bingo or whatever, because you are**  
12 **not dealing with money.**

13 Q. Okay. So that explains why you weren't at  
14 Ute Mountain, but do you know why Louie didn't go to  
15 Ute Mountain to gamble?

16 **A. No, I have no idea.**

17 Q. Do you think Louie went to Farmington, and I  
18 think you said Ignacio, because he knew you were  
19 there?

20 **A. No.**

21 Q. So you don't know why he went to those  
22 places?

23 **A. No.**

24 **Q. So during these occasions when you and Louie**  
25 **would happen to meet at one of these casinos and he**

39

1 **would ask you for money, do you remember roughly how**  
2 **much money you would give him?**

3 **A. Like I said, it varied. You know, it was**  
4 **anywhere from 20 to \$100.**

5 Q. Okay. So the money you gave him during  
6 these occasions, it wasn't for gas, right?

7 **A. No. It was for him to play on.**

8 Q. Um -- are you aware of Louie's success  
9 playing slots? Do you know if he won a lot?

10 **A. Well, that -- you know, that's not the --**  
11 **that's -- you know, that's his own thing and, you**  
12 **know, I don't go asking him, did you hit a jackpot or**  
13 **anything like that. You know, he would be the one to**  
14 **come out with it. And I go -- I'm not going to ask**  
15 **him how much money did you make or -- you know, it's**  
16 **just not me.**

17 Q. But did Louie ever tell you that he had won  
18 a big jackpot?

19 **A. Yes. But then, you know, that was his --**  
20 **his thing. So I didn't have to say anything after**  
21 **that. You know, I just told him that's good.**

22 Q. Do you recall how much money Louie won when  
23 he would tell you he won something?

24 **A. No, not really.**

25 Q. Do you know whether Louie was able to

40

1 support himself through gambling?

2 **A. Yes.**

3 Q. And how do you know that?

4 **A. I guess he knew the trick. He knew when to**  
5 **go and when to hit, hit something, hit a jackpot.**

6 Q. Well, I'm asking you whether Louie was able  
7 to support himself financially through gambling, and  
8 since you didn't -- you didn't ask him about how much  
9 money he won, I'm asking you how you knew he was using  
10 gambling winnings to support himself.

11 **A. Say that again?**

12 Q. How did you know that Louie was using  
13 gambling winnings to support himself financially?

14 **A. Because he would save, save his winnings.**

15 Q. How did you know he was saving his winnings?

16 **A. That's the way he -- you know, that's the**  
17 **way all gamblers are. They go and hit a jackpot and**  
18 **then go back the following day, or the same following**  
19 **week.**

20 Q. When you say go back, you mean go back to  
21 the casino?

22 **A. Yep.**

23 **Q. So are you saying that he would spend any**  
24 **winnings he had gambling?**

25 **A. Yes, and for himself.**

41

1 Q. I guess I'm struggling to understand how --  
2 why you think he was able to support himself through  
3 gambling when you also testified that he would ask you  
4 for money any time he saw you at the casino?

5 **A. That's just being supportive. You know, any**  
6 **person will do that. Any -- any father and son had**  
7 **that kind of communication, you know.**

8 Q. So you didn't think it was odd that Louie  
9 would ask you for money every single time he saw you  
10 at the casino?

11 **A. He would spend it how he wishes. It's not**  
12 **just about the casino.**

13 Q. Okay.

14 **A. There's restaurants there and other stuff**  
15 **there that's available. It's just like in**  
16 **Albuquerque, you see all the casinos and they have**  
17 **restaurants, food courts, and they have gas stations**  
18 **and hotels.**

19 Q. Mr. Cuthair, did these casinos have liquor?

20 **A. What's that?**

21 Q. Did these casinos have liquor, alcohol?

22 **A. Yes.**

23 Q. Are you aware of Louie ever going and  
24 drinking alcohol while at the casino?

25 **A. No.**

42

1 Q. Did you ever see Louie intoxicated, ever?

2 A. No.

3 Q. Did Louie ever talk to you about having a  
4 drinking problem?

5 A. No.

6 Q. Do you know what Louie's hobbies were?

7 A. **Staying fit. He was always exercising,**  
8 **running.**

9 Q. Other than running?

10 A. **He was in good physical condition.**

11 Q. Other than running, what did he do to stay  
12 fit?

13 A. **What's that?**

14 Q. Did he do anything else, other than running,  
15 to stay fit?

16 A. **Lift weights. He lifted weights.**

17 Q. Do you know if Louie did any other kind of  
18 exercise?

19 A. No.

20 Q. Do you know if he had any other hobbies  
21 other than going to the casino and exercising?

22 A. No.

23 Q. Do you know who Louie's friends were?

24 A. No.

25 Q. Did you ever have meals with Louie?

44

1 Q. Are you aware of Louie and Minnie doing a  
2 family therapy together?

3 A. No.

4 Q. Are you aware of Louie being diagnosed with  
5 attention deficit hyperactivity disorder?

6 A. No.

7 Q. Are you aware of Louie seeking treatment for  
8 alcohol abuse and cannabis abuse?

9 A. No.

10 Q. Are you aware of Louie having his  
11 gallbladder removed?

12 A. No.

13 Q. Are you aware of Louie being concerned about  
14 his liver function because of alcohol use?

15 A. No.

16 Q. Are you aware of Louie being concerned about  
17 not getting muscles after working out?

18 A. No.

19 Q. Are you aware that Louie was prescribed  
20 Ritalin?

21 A. No.

22 Q. Are you aware of Louie having a mold  
23 allergy?

24 A. No.

25 Q. So you are unaware of any health issue that

43

1 A. **Occasionally.**

2 Q. Do you know what Louie would like to eat?

3 A. No.

4 Q. Do you know if Louie could cook his own  
5 food?

6 A. **No, I don't.**

7 Q. All right. I'm going to start sharing my  
8 screen again. I'm going to go to interrogatory number  
9 10. So interrogatory number 10 asked about Louie's  
10 health and any healthcare he got in the ten years  
11 before his death. And your response "Indian Health  
12 Service was his healthcare provider in Shiprock, New  
13 Mexico if he needed medical care, which is Northern  
14 Navajo Medical Center. No substance or alcohol abuse  
15 facilities, no mental health issues, to the best of my  
16 information and belief. To my knowledge, my son  
17 wasn't on any medication and he was in good health."

18 Mr. Cuthair, are you aware of any health  
19 issues Louie had during his entire life?

20 A. No.

21 Q. Are you aware of any asthma that Louie had?

22 A. **Um -- no. I don't recall.**

23 Q. Do you recall Louie ever being referred by  
24 the school for behavioral issues?

25 A. No.

45

1 Louie had in his entire life; is that correct?

2 A. Yes.

3 Q. All right. I want to turn now to  
4 interrogatory 17. Interrogatory 17 asks about Louie's  
5 arrest history. You state "I am unaware of any felony  
6 or misdemeanor arrests." Do you -- you had no  
7 knowledge of Louie ever getting arrested?

8 A. No.

9 Q. So Louie didn't ever talk to you about  
10 getting in trouble with the law?

11 A. **No. And then -- you know, he's not the type  
12 of guy that's going to be bragging about his arrests  
13 and misdemeanors.**

14 Q. Would it surprise you if he had a lengthy  
15 arrest history?

16 MR. BUFFINGTON: Objection, form. Go ahead  
17 and answer if you can.

18 A. No.

19 Q. Why not?

20 A. **Because, you know, it's just -- just like I  
21 said, you don't go around bragging about your arrests  
22 and stuff like that, and -- and that, you know, he is  
23 capable of handling if he was.**

24 **You know, I have seen -- I seen all the --  
25 the documents that I reviewed, and this is all about**



46

1 **his -- his arrest and his medical before his death.**  
 2 **Like I said, he didn't grow up in an alcohol or drug**  
 3 **environment, and I will say this, and continue to say**  
 4 **this.**

5 Q. So are you aware that he was arrested at Ute  
 6 Mountain Casino in 2019 for intoxication?

7 **A. No.**

8 Q. Are you aware that he told the officers  
 9 there that you were the chairman of the tribe?

10 **A. No.**

11 Q. Had you ever seen Louie bring up your status  
 12 as chairman of the tribe to get special treatment?

13 **A. No.**

14 Q. Do you have a problem with that if he had  
 15 done that?

16 **A. Yeah. I would have talked to him and let**  
 17 **him know that you can't be doing that.**

18 Q. So Louie didn't ask you to bail him out?

19 **A. No.**

20 Q. Whenever he was arrested?

21 **A. No. No. What's this all got to do with**  
 22 **Louie's death?**

23 Q. Again, sir, these are my questions and you  
 24 are not asking questions of me, and if your counsel --

25 **A. I'm continuing going to say that. You know,**

47

1 **all these reports about his medical records, his**  
 2 **history and arrest and any misdemeanors, felonies, it**  
 3 **doesn't have -- it does have nothing to do with**  
 4 **Louie's death.**

5 Q. Well, that's nice that you think that, sir,  
 6 but your attorney instructed you to answer the  
 7 questions unless he objects, so I'm going to have to  
 8 continue to ask you to respond or we're going to have  
 9 to terminate this deposition.

10 MR. BUFFINGTON: Keep answering. We have  
 11 to.

12 Q. How did you learn that your son passed away?

13 **A. I got a call.**

14 Q. Who called you?

15 **A. My sister.**

16 Q. How did your sister find out? Do you know?

17 **A. From her son.**

18 Q. And how did her son find out, if you know?

19 **A. Minnie had called him.**

20 Q. So you didn't hear about your son's death  
 21 from Minnie herself?

22 **A. No.**

23 Q. Do you recall when you learned about your  
 24 son's death?

25 **A. On the 1st.**

48

1 Q. Do you recall what time it was?

2 **A. It was early in the morning.**

3 Q. Were you awake at the time or did the news  
 4 wake you up?

5 **A. Um -- woke me up.**

6 Q. The previous day did you talk to Louie?

7 **A. The 27th.**

8 Q. The previous day was the 29th. Did you talk  
 9 to Louie or text him on the 29th?

10 **A. No.**

11 Q. When was the last time you talked to Louie  
 12 before he died?

13 **A. On the 27th.**

14 Q. Okay. Tell me what you guys talked about on  
 15 the 27th?

16 **A. He said just how I was doing.**

17 Q. Was this a telephone call?

18 **A. No.**

19 Q. So was it a text?

20 **A. Yes.**

21 Q. Did you respond to his text?

22 **A. Yes. I told him I was doing fine and I was**  
 23 **okay, because he was worried about what I was going**  
 24 **through. I had fractured my ankle.**

25 Q. Did you ask Louie how he was doing?

49

1 **A. Yes, and then he said, I'm doing okay. I'm**  
 2 **doing fine.**

3 Q. Before you traded these texts with Louie on  
 4 the 27th did you have any conversations or  
 5 interactions with Louie that made you concerned about  
 6 his health?

7 **A. No.**

8 Q. Did your other son Karsten, or Minnie, ever  
 9 contact you about being concerned about Louie's  
 10 health?

11 **A. No.**

12 Q. Did Minnie or Karsten communicate with you  
 13 at all on the 29th of February, 2020?

14 **A. No.**

15 **Q. Since Louie's death have you sought any**  
 16 **mental health treatment or counseling?**

17 **A. No, not -- I'm not that kind of a person.**

18 **Q. Are you taking any medications as a result**  
 19 **of Louie's death?**

20 **A. No.**

21 MS. LYMAN: All right. Forrest, I believe  
 22 I'm done with my questions. I'll pass the witness.

23 MR. BUFFINGTON: Well, let's see. I believe  
 24 we'll read and sign.

25 MS. LYMAN: Okay.